

1 FISH & RICHARDSON P.C.

2 Katherine K. Lutton (CSB No. 194971)
lutton@fr.com
3 500 Arguello Street, Suite 500
Redwood City, CA 94063
4 Tel: (650) 839-5070 Fax: (650) 839-5071

5 Ruffin B. Cordell (*pro hac vice*)
cordell@fr.com
6 1425 K Street, NW, Suite 1100
Washington, DC 20005
7 Tel: (207) 783-5070 Fax: (207) 783-2331

8 Christopher O. Green (*pro hac vice*)
cgreen@fr.com
9 Aamir A. Kazi (*pro hac vice*)
kazi@fr.com
10 Jacqueline Tio (*pro hac vice*)
tio@fr.com
11 1180 Peachtree Street, 21st Floor
Atlanta, GA 30309
12 Tel: (404) 892-5005 Fax: (404) 892-5002

13 Benjamin C. Elacqua (*pro hac vice*)
elacqua@fr.com
14 Brian G. Strand (*pro hac vice*)
strand@fr.com
15 1221 McKinney Street, Suite 2800
Houston, TX 77010
16 Tel: (713) 654-5300 Fax: (713) 652-0109

17
18 WILMER CUTLER PICKERING HALE AND
DORR LLP

19 Joseph J. Mueller (*pro hac vice*)
joseph.mueller@wilmerhale.com
20 60 State Street
Boston, MA 02109
21 Tel: (617) 526-6000 Fax: (617) 526-5000

22 Matthew Hawkinson (CSB No. 248216)
matthew.hawkinson@wilmerhale.com
23 350 South Grand Avenue, Suite 2100
Los Angeles, California 90071
24 Tel: (213) 443-5300 Fax: (213) 443-5400

25 Mark D. Selwyn (CSB No. 244180)
mark.selwyn@wilmerhale.com
26 950 Page Mill Road
Palo Alto, CA 94304
27 Tel: (650) 858-6000 Fax: (650) 858-6100

28 *Attorneys for Defendant APPLE INC.*

17
18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **(SAN JOSE DIVISION)**

21 GPNE, CORP.

22 Plaintiff,
23 v.
24 APPLE INC.,
25 Defendant.

Case No. 5:12-cv-02885-LHK

**APPLE INC.'S NOTICE PURSUANT TO
35 U.S.C. § 282**

1 Pursuant to 35 U.S.C § 282, Defendant Apple Inc. (“Apple”) hereby gives notice that it
 2 may rely on the patents, publications, and other prior art described herein to show anticipation,
 3 obviousness, and/or the “state of the art” of one or more claims of U.S. Patent Nos. 7,555,267,
 4 7,570,954, and 7,792,492 (collectively, the “Patents-in-Suit”).

5 In addition to the items listed herein, Apple incorporates by reference all patents,
 6 publications, and other prior art cited in the expert reports submitted in this action, or otherwise
 7 disclosed to GPNE in this action by Apple or any of its co-defendants, including but not limited to
 8 all prior art cited or disclosed in Apple’s invalidity contentions or discovery responses, the
 9 prosecution history of the Patents-in-Suit and any related patent applications (including the file
 10 history), Initial Disclosures, Apple’s List of Trial Exhibits, GPNE’s List of Trial Exhibits, the
 11 Parties’ Joint Exhibit List, Apple’s Witness List (Dkt. No. 305-2), and GPNE’s Witness List (Dkt.
 12 No. 305-1).

13 **A. PATENTS**

No.	Country	Patent No.	Date Issued	Inventor
1.	U.S.	3,488,445	Jan. 6, 1970	Robert W. Chang
2.	U.S.	4,736,371	Apr. 5, 1988	Shunichiro Tejima et al.
3.	U.S.	5,025,442	Jun. 18, 1991	Charles N. Lynk et al.
4.	U.S.	5,068,916	Nov. 26, 1991	Colin G. Harrison et al.
5.	U.S.	5,134,615	Jul. 28, 1992	Thomas A. Freeburg et al.
6.	U.S.	5,142,533	Aug. 25, 1992	Kenneth J. Crisler et al.
7.	U.S.	5,172,375	Dec. 15, 1992	Yukari Kou
8.	U.S.	5,197,125	Mar. 23, 1993	Gernot M. Engel et al.
9.	U.S.	5,210,771	May 11, 1993	Dennis R. Schaeffer et al.
10.	U.S.	5,239,677	Aug. 24, 1993	Leon Jasinski
11.	U.S.	5,278,827	Jan. 11, 1994	Alan Pound
12.	U.S.	5,282,222	Mar. 31, 1992	Michel Fattouche et al.
13.	U.S.	5,299,198	Mar. 29, 1994	Stanley E. Kay et al.
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No.	Country	Patent No.	Date Issued	Inventor
15.	U.S.	5,373,503	Dec. 13, 1994	Kwang-Cheng Chen
16.	U.S.	5,420,851	May 30, 1995	Nambirajan Seshadri et al.
17.	U.S.	5,422,656	Jun. 6, 1995	David J. Allard et al.
18.	U.S.	5,444,697	Aug. 22, 1995	Cybil S. Leung et al.
19.	U.S.	5,465,401	Nov. 7, 1995	E. Earle Thompson
20.	U.S.	5,548,631	Aug. 20, 1996	Jay Krebs et al.
21.	U.S.	5,603,081	Feb. 11, 1997	Alex K. Raith et al.
22.	U.S.	5,677,909	May 11, 1994	Carolyn Heide
23.	U.S.	5,717,688	Feb. 10, 1998	Philip H. Belanger et al.
24.	U.S.	5,802,502	Sept. 1, 1998	Michael Anthony Gell et al.
25.	U.S.	7,609,747	Oct. 27, 2009	Ronald L. Mahany

B. PRINTED PUBLICATIONS/ARTICLES/DOCUMENTS

No.	Title	Date	Author(s)
26.	“The GSM System for Mobile Communications,” published by Cell & Sys., International Standard Book Number: 2-9507190-0-7 (GPNE_DEF-0006301-7005)	1993	Michel Mouly; Marie-Bernadette Pautet
27.	GSM Release 92, Phase 1	1992	
28.	GSM 02.01 v.3.2.0 “Principles of Telecommunications Services Supported by a GSM PLMN” (GPNE_DEF-0007235-7254)	Feb. 1992	ETSI PT12
29.	GSM 02.02 v.3.2.0 “Bearer Services Supported by a GSM PLMN” (GPNE_DEF-0007255-7296)	Feb. 1992	ETSI PT12
30.	GSM 02.03 v.3.4.0 “Teleservices Supported by a GSM PLMN” (GPNE_DEF-0001216-1240)	Feb. 1992	ETSI PT12
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No.	Title	Date	Author(s)
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33.	GSM 04.05 v.3.1.5 “MS - BSS Data Link Layer General Aspects” (GPNE_DEF-0000530-547)	Feb. 1992	ETSI PT12
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38.	GSM 05.01 v.3.3.2 “Physical Layer on the Radio Path: General Description” (GPNE_DEF-0001163-1178)	Feb. 1992	ETSI PT12
39.	GSM 05.02 v.3.6.1 “Multiplexing and Multiple Access On the Radio Path” (GPNE-APP00029826-865)	Feb. 1992	ETSI/GSM
40.	GSM 05.05 v.3.13.0 “Radio Transmission and Reception” (GPNE-APP00029963-986)	May 1992	ETSI/GSM
41.	GSM 05.08 v.3.7.0 “Radio Sub-System Link Control” (GPNE_DEF-0007337-7344)	Feb. 1992	ETSI PT12
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43.	RFC 791 "Internet Protocol Darpa Internet Program Protocol Specification" (http://www.ietf.org/rfc/rfc791.txt)	Sept. 1981	Information Sciences Institute, University of Southern California
44.	Ethernet standard (http://standards.ieee.org/about/get/802/802.3.html)	1980	IEEE
45.	CCITT Rec X.25 Series X: Data Communications Networks: Services and Facilities, Interfaces "Interface Between Data Terminal Equipment (DTE) and Data Circuit-Terminating Equipment (DCE) for Terminals Operating in the Packet Mode and Connected to Public Data Networks by Dedicated Circuit" (GPNE_DEF-0007006-7161)	Nov. 1988	The International Telegraph and Telephone Consultative Committee
46.	Internet File Transfer Protocol (FTP) in version RFC 354 (https://tools.ietf.org/html/rfc354)	Jul. 8, 1972	Abhay Bhushan
47.	Trivial File Transfer Protocol (TFTP) protocol Revision 2 (http://tools.ietf.org/html/rfc1350)	Jul., 1992	K. Sollins
48.	International Patent Application No. WO 94/09597, titled "A Random Access Method in a Radio System" (GPNE_DEF-0000491-511)	Apr. 28, 1994	Reino Talarmo
49.	International Patent Application No. WO 94/24786, titled "Layer 2 Protocol for the Random Access Channel and the Access Response Channel" (GPNE_DEF-0000206-230)	Oct. 27, 1994	John Diachina
50.	CDPD Version 1.0 Specification	1993	
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52.	Interim Standard 54 (IS-54)	By 1993	TIA
53.	Interim Standard 95 (IS-95)	By 1993	TIA

No.	Title	Date	Author(s)
54.	Wireless Communications Systems: From RF Subsystems to 4G Enabling Technologies, Cambridge University Press	2010	Ke-Lin Due; M.N.S. Swamy
55.	X.25	1976	International Telecommunications Union
56.	“Analysis and Simulation of a Digital Mobile Channel Using Orthogonal Frequency Division Multiplexing,” IEEE Transactions On Communications, Vol. Com-33, No. 7	Jul. 7, 1985	Leonard J. Cimini, Jr.
57.	“Multicarrier Modulation for Data Transmission: An Idea Whose Time Has Come,” IEEE Communications Magazine	May 1990	John A.C. Bingham
58.	“OFDM for Data Communication Over Mobile Radio FM Channels – Part 1: Analysis and Experimental Results,” IEEE Transactions On Communications, Vol. 39, No. 5	May 1991	Eduardo F. Casas and Cyril Leung
59.	U.S. Patent Application No. 11/449,187	Jun. 8, 2006	Gabriel K. Wong et al.
60.	AMPS Spec – Cellular System Mobile Station – Land Station Compatibility Specification (GPNE_DEF-0002082-147)	Jul. 1983	John A. Reed
61.	A Preliminary Design of a TDMA System for Fleestat, Massachusetts Institute of Technology, Lincoln Laboratory (GPNE_DEF-0001629-722)	Mar. 12, 1975	J.D. Bridwell and I. Richer
62.	A Terminal Access Control System for Fleestat, Massachusetts Institute of Technology, Lincoln Laboratory (GPNE_DEF-0001553-628)	Nov. 22, 1976	J.D. Bridwell
63.	Advanced Mobile Phone Service: Control Architecture, American Telephone and Telegraph Company, The Bell System Technical Journal, Vol. 58, No. 1 (GPNE_DEF-0002148-63)	Feb. 15, 1978	Z.C. Fluhr and P.T. Porter

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64.	“Multiple Channel Demand Assignment Multiple Access (DAMA) System Design for UHF MILSATCOM,” A Collection of Technical Papers, Part 2, 13 th AIAA International Communication Satellite Systems Conference and Exhibit, Los Angeles, CA, pgs. 712-719, M/A-Com Government Systems, published by the American Institute of Aeronautics and Astronautics, Inc. (GPNE_DEF-0001481-1489)	Mar. 11-15, 1990	G.M. Engel and E.F. Smith
65.	Mobitex Interface Specification, Document Number: 1551-CN160 013 Uen, Rev B (GPNE_DEF-0002503-2972)	Jun. 4, 2002	
66.	Research In Motion – Mobitex User’s Handbook for the Mobidem AT, Version 1.0 (GPNE_DEF-0004063-4130)	Apr. 1993	Research In Motion
67.	Nokia 2110 User’s Guide, Issue 5 (RIM-GPNE00041326-41388)	1993	Nokia
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69.	“TACS – A Demand Assignment System For FLEETSAT,” IEEE Transactions on Communications, Vol. Com.-27, No. 10 (GPNE_DEF-0001538-1552)	Sept. 1979	Lee E. Taylor and Steven L. Bernstein
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71.	“GSM: Switching, Services and Protocols,” John Wiley and Sons	1999	Jörg Eberspächer and Hans-Jörg Vogel

C. PRIOR ART SYSTEMS/SOFTWARE

No.	Title	Date	Author(s)
72.	ALOHA.net for data communications	Early 1970s	The University of Hawaii
73.	Motorola’s FLEX	Early 1990s	Motorola

No.	Title	Date	Author(s)
74.	Motorola Adviser Pager	Early 1990s	Motorola
75.	Mobitex, with service from RAM Mobile Data	By 1993	RAM Mobile Data
76.	DataTAC, with service from ARDIS	By 1993	ARDIS
77.	Cellular Digital Packet Data (CDPD)	1995	
78.	Advanced Mobile Phone System (AMPS)	By 1993	Standardized by the Telecommunications Industry Association/Electronics Industry Association
79.	Time Division Multiple Access (TDMA)	By 1993	Standardized by the Telecommunications Industry Association
80.	Code Division Multiple Access (CDMA)	Jul. 1993	Adopted by the Telecommunications Industry Association
81.	Global System for Mobile Communications (GSM) system	1992	
82.	Short Message Service (SMS)	By 1993	
83.	LapLink	Prior to 1993	Traveling Software
84.	NetManage software	1993	NetManage
85.	Wireless networking of OFDM technology	1995	University of British Columbia

Apple reserves the right to supplement or to modify the foregoing through and including the time of trial.

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By: /s/ Christopher O. Green
Christopher O. Green

Attorneys for Defendant
APPLE INC.